

## PART B - FEE(S) TRANSMITTAL

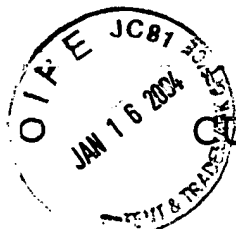
Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.



7590

11/17/2003

**CUSTOMER NUMBER**  
**22850**

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

|                    |
|--------------------|
| (Depositor's name) |
| (Signature)        |
| (Date)             |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/073,345      | 02/13/2002  | Burkhard Freund      | 217052US0X          | 4596             |

TITLE OF INVENTION: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO           | \$1330    | \$300           | \$1630           | 02/17/2004 |

| EXAMINER                      | ART UNIT | CLASS-SUBCLASS |
|-------------------------------|----------|----------------|
| SANDERS, KRIELLION ANTIONETTE | 1714     | 524-495000     |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 OBLON, SPIVAK,
- 2 McCLELLAND, MAIER
- 3 & NEUSTADT, P.C.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Degussa AG

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Duesseldorf, GERMANY

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee
- ☐ Advance Order - # of Copies -0-

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 15-0030 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Joseph A. Scafetta Jr., Reg. No. 26,803 Jan. 16, 2004 (Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

01/21/2004 AWONDAF2 00000026 10073345

01 FC:1501 1330.00 OP  
 02 FC:1504 300.00 OP

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

Dept.: Chemical

By: NFO/TMC/krs

OSMM&N File No. 217052US0X

Serial No. 10/073,345

In the matter of the Application of: Burkhard FREUND

For: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

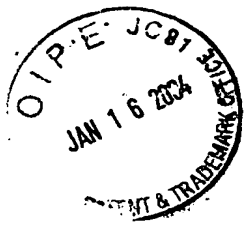
Due Date: n/a

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- PTO Cover Letter
- Petition Under 37 C.F.R. 1.181
- Copy of Date-stamped Filing Receipt, Information Disclosure Statement and PTO 1449 filed August 29, 2003

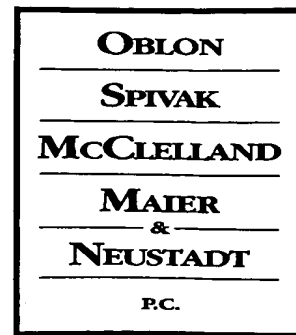


COPY



Docket No.: 217052US0X

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/073,345  
Applicants: Burkhard FREUND  
Filing Date: February 13, 2002  
Allowed Date: November 17, 2003  
For: CARBON BLACK, PROCESS FOR ITS  
PRODUCTION AND ITS USE  
Group Art Unit: 1714  
Examiner: K. Sanders

SIR:

Attached hereto for filing are the following papers:

**Petition Under 37 C.F.R. 1.181; Copy of Date-stamped Filing Receipt, Information Disclosure  
Statement and PTO 1449 filed August 29, 2003**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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Norman F. Oblon  
Registration No. 24,618

Customer Number

**22850**

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(703) 413-2220 (fax)

Thomas M. Cunningham  
Registration No. 45,394

COPY

O I P E  
JAN 16 2004  
DOCKET NO: 217052US0X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

BURKHARD FREUND

: EXAMINER: K. SANDERS

SERIAL NO: 10/073,345

: ALLOWED DATE: NOVEMBER 17, 2003

FILED: FEBRUARY 13, 2002

: GROUP ART UNIT: 1714

FOR: CARBON BLACK, PROCESS FOR  
ITS PRODUCTION AND ITS USE

PETITION UNDER 37 C.F.R. 1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke  
supervisory authority to:

- (1) Timely match the Information Disclosure Statement filed on August 29,  
2003 with this allowed application and make this application available to  
Examiner Sanders for consideration of the two documents cited thereon.  
This information disclosure statement was submitted prior to first action  
and allowance of this application. A copy of Form 1449 is attached to this  
Petition for the convenience of the Examiner.
- (2) Return a signed and initialed copy of Form 1449 to the Applicants.

COPY

The Applicants notified Examiner Sanders on December 18, 2003 that this Petition was being filed in order to make this allowed case available to him and to assure that the earlier filed information disclosure statement was matched with the file, so that a signed and initialed copy of Form 1449 could be returned to the Applicants.

Applicants do not believe that any petition fee is due. However, in the event any variance exists between the required petition fees and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)

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Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Thomas M. Cunningham  
Registration No. 45,394

COPY



**COPY**

*[Signature]*

OSIMM&N File No. 217052US0X

Serial No. 10/073,345

In the matter of the Application of: Burkhard FREUND

For: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

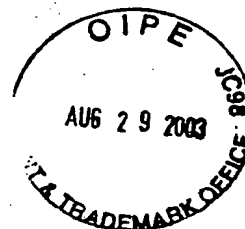
Dept.: PP

By: NFO/hc

Due Date: 09-04-03

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Information Disclosure Statement
- Cited References (2)
- EUROPEAN Search Report (with English Translation of Category of Cited Documents)



**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Burkhard FREUND

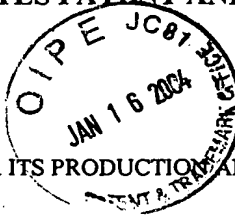
SERIAL NO: 10/073,345

FILED: February 13, 2002

FOR: CARBON BLACK, PROCESS FOR ITS PRODUCTION AND ITS USE

GAU: 1714

EXAMINER:



**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references cited in the attached European Search Report listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment form is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



22850

Norman F. Oblon

Registration No. 24,618

\*Form PTO 1449  
(Modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

217052US0X

SERIAL NO.

10/073,345

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Burkhard FREUND

FILING DATE

February 13, 2002

GROUP

1714

U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUB<br>CLASS | FILING DATE<br>IF APPROPRIATE |
|---------------------|----|--------------------|------|------|-------|--------------|-------------------------------|
|                     | AA |                    |      |      |       |              |                               |
|                     | AB |                    |      |      |       |              |                               |
|                     | AC |                    |      |      |       |              |                               |
|                     | AD |                    |      |      |       |              |                               |
|                     | AE |                    |      |      |       |              |                               |
|                     | AF |                    |      |      |       |              |                               |
|                     | AG |                    |      |      |       |              |                               |
|                     | AH |                    |      |      |       |              |                               |
|                     | AI |                    |      |      |       |              |                               |
|                     | AJ |                    |      |      |       |              |                               |
|                     | AK |                    |      |      |       |              |                               |
|                     | AL |                    |      |      |       |              |                               |
|                     | AM |                    |      |      |       |              |                               |
|                     | AN |                    |      |      |       |              |                               |

FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT<br>NUMBER | DATE     | COUNTRY | TRANSLATION |    |
|--|----|--------------------|----------|---------|-------------|----|
|  |    |                    |          |         | YES         | NO |
|  | AO | WO 94/05732        | 03/17/94 | WIPO    |             |    |
|  | AP | 198 39 925         | 10/14/99 | GERMANY |             | X  |
|  | AQ |                    |          |         |             |    |
|  | AR |                    |          |         |             |    |
|  | AS |                    |          |         |             |    |
|  | AT |                    |          |         |             |    |
|  | AU |                    |          |         |             |    |
|  | AV |                    |          |         |             |    |

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |  |
|--|----|--|
|  | AW |  |
|  | AX |  |
|  | AY |  |
|  | AZ |  |

☐ Additional References sheet(s) attached

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.